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Attorneys for Defendant
WAL-MART STORES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In Re WAL-MART STORES, INC.
WAGE AND HOUR LITIGATION,

Case No. C 06-02069 SBA (BZ)

This document relates to Case Nos.:
C 06-02069 SBA (Smith) and
C 06-05411 SBA (Ballard)

**SUPPLEMENTAL DECLARATION OF
REBECCA EISEN IN SUPPORT OF
DEFENDANT WAL-MART STORES, INC.'S
REPLY IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT**

Date: April 22, 2008
Time: 1:00 p.m.
Place: Courtroom 3
Judge: Hon. Sandra Brown Armstrong

I, Rebecca Eisen, declare:

1. I am an attorney at law admitted to the State Bar of California and admitted and duly licensed to practice before this Court. I am a partner of Morgan, Lewis & Bockius LLP, and am one of the attorneys for Defendant Wal-Mart Stores, Inc. in this action. The facts set forth below are true of my personal knowledge and, if called upon, I could and would testify competently to these facts.

2. Attached hereto as **Exhibit A**, is a true and correct copy of excerpts from Plaintiff Michael Wiggins's Responses to Defendant's First Set of Special Interrogatories, dated April 1, 2008.
3. Attached hereto as **Exhibit B**, is a true and correct copy of excerpts from Plaintiff Barry Smith's Responses to Defendant's First Set of Special Interrogatories, dated April 1, 2008.
4. Attached hereto as **Exhibit C**, are true and correct copies of additional excerpts from the certified transcript of the Deposition of Plaintiff Barry Smith taken on August 3, 2007.
5. Attached hereto as **Exhibit D**, are true and correct copies of excerpts from the certified transcript of the Videotaped Deposition of Canetta Ivy Reid taken on March 21, 2008.
6. Attached hereto as **Exhibit E**, are true and correct copies of additional excerpts from the certified transcript of the Deposition of Plaintiff Danton Ballard taken on July 25, 2007.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 8th day of April 2008 at San Francisco, California.

/S/
Rebecca Eisen